

United States Court of Appeals for the Federal Circuit

*Johnson #19*  
**SOLICITOR**

03-1372  
(Serial No. 09/515,060)

JAN - 2 2004

U.S. PATENT & TRADEMARK OFFICE

IN RE RAYMOND ANTHONY JOAO

Judgment

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

NOV - 5 2003

JAN HORBALY  
CLERK

ON APPEAL from the PATENT & TRADEMARK OFFICE  
BOARD OF PATENT APPEALS & INTERFERENCES  
In CASE NO(S): 09/515,060

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

AFFIRMED

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UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT

By: *[Signature]* Date: 12/29/03

ENTERED BY ORDER OF THE COURT

*TRH*  
DATED NOV - 5 2003

*Jan Horbaly*

Jan Horbaly, Clerk

**ISSUED AS A MANDATE.**

DEC 29 2003

NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record. This disposition will appear in tables published periodically.

**SOLICITOR**

**JAN - 2 2004**

U.S. PATENT & TRADEMARK OFFICE

## **United States Court of Appeals for the Federal Circuit**

03-1372  
(Serial No. 09/515,060)

IN RE RAYMOND ANTHONY JOAO

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DECIDED: November 5, 2003

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Before MAYER, Chief Judge, NEWMAN and LINN, Circuit Judges.

PER CURIAM.

Appellant Raymond Anthony Joao seeks review of a decision of the United States Patent and Trademark Office Board of Patent Appeals and Interferences sustaining a rejection of Joao's application as obvious under 35 U.S.C. § 103(a). We affirm.

Because Joao's arguments focus on the teachings of the prior art, our obviousness inquiry focuses on whether the board's factual findings as to those teachings are supported by substantial evidence. See In re Berg, 320 F.3d 1310, 1312 (Fed. Cir. 2003). The PTO has the burden under section 103 to establish a prima facie case of obviousness, and it can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead

discloses an interactive entertainment network system capable of connecting to multiple user interface units that allow users to stop a program and later return with a predetermined portion of the program being repeated. The technology and function of each reference overlap considerably. Additionally, Houstis and Dunn provide related teachings that defeat Joao's teaching away arguments while simultaneously showing that the two references are in the same field of endeavor. Houstis teaches a system that permits a user to learn from an interactive multimedia system at a "self-paced" speed, while Dunn's reminder and playback features are not only compatible with such a system but would be viewed as a highly desirable combination to one skilled in the art.

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By: [Signature] Date: 12/29/02